

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING TRAFFIC EDUCATION LAWS;  
5 REVISING THE TRAFFIC EDUCATION DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION;  
6 AUTHORIZING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO APPROVE PRIVATE TRAFFIC  
7 EDUCATION COURSES; AUTHORIZING A SCHOOL DISTRICT TO PROVIDE THE TRAFFIC EDUCATION  
8 CLASSROOM INSTRUCTION IN A DISTANCE LEARNING FORMAT; ALLOWING A PARENT OR  
9 GUARDIAN OF A STUDENT WHO COMPLETES THE TRAFFIC EDUCATION CLASSROOM INSTRUCTION  
10 TO INSTRUCT THE STUDENT IN THE HANDS-ON DRIVING PORTION OF THE TRAFFIC EDUCATION  
11 COURSE; AMENDING SECTIONS 20-7-502 AND 20-7-503, MCA; AND PROVIDING AN EFFECTIVE DATE."

12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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15 **Section 1.** Section 20-7-502, MCA, is amended to read:

16 **"20-7-502. Duties of superintendent of public instruction.** The superintendent of public instruction  
17 shall:

- 18 (1) develop, administer, and supervise a program of instruction in traffic education;
- 19 (2) establish basic course requirements in instruction for traffic education;
- 20 (3) establish the qualifications for a teacher of traffic education;
- 21 (4) approve teachers of traffic education when the teachers are qualified;
- 22 (5) establish criteria for traffic education course approval based on the basic course requirements,  
23 teacher of traffic education qualifications, and the requirements of law;
- 24 (6) approve traffic education courses when the courses meet the criteria for approval, including a  
25 commercially available private traffic education course;
- 26 (7) promulgate a policy for the distribution of the traffic education money to approved traffic education  
27 courses and annually order the distribution of the proceeds of the traffic education account in the manner  
28 required by law;

- 1 (8) assist districts with the conduct of traffic education; ~~and~~
- 2 (9) periodically conduct onsite driver education program reviews;
- 3 (10) establish any alternative course requirements necessary to allow a district to provide an online or
- 4 distance learning classroom component for a traffic education course pursuant to 20-7-503(2)(a); and
- 5 (11) establish any alternative course requirements necessary to allow the student's parent or guardian
- 6 to instruct the student in the hands-on driving component of a traffic education course pursuant to 20-7-
- 7 503(2)(b)."

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9 **Section 2.** Section 20-7-503, MCA, is amended to read:

10 **"20-7-503. District establishment of traffic education program.** (1) The trustees of any district  
 11 operating a junior high school or high school may establish and maintain a traffic education course. The traffic  
 12 education course shall be:

- 13 ~~(1)~~(a) for students who are 15 years old or older or will have reached their 15th birthday within 6
- 14 months of the course completion;
- 15 ~~(2)~~(b) taught by a teacher of traffic education;
- 16 ~~(3)~~(c) conducted in accordance with the basic course requirements established by the superintendent
- 17 of public instruction; and
- 18 ~~(4)~~(d) taught during regular school hours, after regular school hours, on Saturdays, or as a summer
- 19 school course, at the option of the trustees.

20 (2) (a) A school district may offer the classroom portion of a traffic education course through an  
 21 online or distance learning platform.

22 (b) When a student completes the classroom portion of a traffic education course pursuant to  
 23 subsection (2)(a), the student is authorized to take the hands-on driving portion of the traffic education course  
 24 under the instruction of the student's parent or guardian."

25

26 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2021.

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